

YITAI HU (SBN 248085)  
yitai.hu@alston.com  
SEAN P. DEBRUINE (SBN 168071)  
sean.debrune@alston.com  
ELIZABETH H. RADER (SBN 184963)  
elizabeth.rader@alston.com  
JANE HAN BU (SBN 240081)  
jane.bu@alston.com  
JENNIFER LIU (SBN 268990)  
celine.liu@alston.com  
ALSTON & BIRD LLP  
275 Middlefield Road, Suite 150  
Menlo Park, CA 94025-4008  
Telephone: 650-838-2000  
Facsimile: 650-838-2001  
  
Attorneys for Plaintiff and Counterdefendant  
ELAN MICROELECTRONICS  
CORPORATION

MATTHEW D. POWERS (Bar No. 104795)  
matthew.powers@tensegritylawgroup.com  
TENSEGRITY LAW GROUP LLP  
555 Twin Dolphin Dr., Suite 360  
Redwood Shores, CA 94065  
Telephone: (650) 802-6000  
Facsimile: (650) 802-6001

JARED BOBROW (Bar No. 133712)  
jared.bobrow@weil.com  
SONAL N. MEHTA (Bar No. 222086)  
sonal.mehta@weil.com  
DEREK C. WALTER (Bar No. 246322)  
derek.walter@weil.com  
NATHAN GREENBLATT (Bar No. 262279)  
nathan.greenblatt@weil.com  
WEIL, GOTSHAL & MANGES LLP  
Silicon Valley Office  
201 Redwood Shores Parkway  
Redwood Shores, CA 94065  
Telephone: (650) 802-3000  
Facsimile: (650) 802-3100

Attorneys for Defendant and Counterclaim  
Plaintiff APPLE INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ELAN MICROELECTRONICS  
CORPORATION,

Plaintiff,

v.

APPLE INC.,

Defendant.

Case No. C-09-01531 RS (PSG)

**STIPULATION AND ~~[PROPOSED]~~  
ORDER MODIFYING AMENDED  
STIPULATED PROTECTIVE ORDER**

AND RELATED COUNTERCLAIMS

1 Plaintiff Elan Microelectronics Corporation (“Elan”) and Defendant Apple Inc. (“Apple”),  
 2 by and through their respective counsel of record, hereby stipulate as follows:

3 WHEREAS, the terms of the Amended Stipulated Protective Order (Dkt. No. 64) require  
 4 each party to destroy all “Discovery Material” after the final disposition of this litigation;

5 WHEREAS, the term “Discovery Material” as defined in the Amended Stipulated  
 6 Protective Order includes all information and documents produced, disclosed, or generated in  
 7 connection with discovery in this matter, whether or not they have been designated confidential in  
 8 a way provided by the Amended Stipulated Protective Order; and

9 WHEREAS, the parties wish to eliminate the obligation to return or destroy information  
 10 and documents produced in connection with discovery in this matter that do not constitute  
 11 proprietary or confidential information of any party;

12 NOW, THEREFORE, the parties stipulate and ask the Court to order as follows:

13 Section 19 of the Amended Stipulated Protective Order is amended to require that the  
 14 parties destroy or return all “Protected Material” rather than all “Discovery Material.”

15 DATED: April 9, 2012

Respectfully submitted,

16 ALSTON & BIRD LLP

17  
 18 By: /s/ Sean P. DeBruine

Sean P. DeBruine

19 Attorneys for Plaintiff and Counterdefendant  
 20 ELAN MICROELECTRONICS CORPORATION

21 DATED: April 9, 2012

WEIL, GOTSHAL & MANGES LLP

22  
 23 By: /s/ Sonal N. Mehta

Sonal N. Mehta

24 Attorneys for Defendant and Counterclaim Plaintiff  
 25 APPLE INC.

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION IT IS SO ORDERED

DATED: April 10, 2012

  
UNITED STATES MAGISTRATE JUDGE

**FILER'S ATTESTATION**

Pursuant to General Order No. 45, Section X (B) regarding signatures, I, Sean P. DeBruine, attest that concurrence in the filing of this document has been obtained.

/s/ Sean P. DeBruine

Sean P. DeBruine

LEGAL02/33234472v2